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REMARKS

Claims 1-8, 10-15 and 20-23 are pending in the application. Claims 1, 8, and 20 are independent claims.

Claims 1-8, 10-15 and 20-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Nankai (USPN 5,120,420). Nankai discloses a biosensor that includes a base plate having an electrode system. By integrating with a cover, a space including the reaction layer is formed and an introducing port for introducing a sample solution into the space and a discharge port for discharging a gas in the space by inflow of the sample solution. See, Column 3 lines 5-15.

Claims 1, 8, and 20 are each amended to clarify that the members are individual members. Claim 1 is further amended to recite a generally T-shaped channel. Support for the amendments is found in the specification as filed and particularly at page 3 lines 12-15, page 6 lines 1-11 and Figures 1A, 1B, 2, and 4. No new matter is added by virtue of the amendments.

It is submitted that Nankai fails to disclose or suggest the biosensor as recited by amended claims 1, 8, and 20 for at least the reasons set forth below.

Regarding claim 1, Nankai fails to disclose or suggest a generally T-shaped channel extending between individual members of a spacer substrate. The Examiner's attention is directed to Figures 3, 4, 8, 10, 12, and 13, of Nankai, which illustrate various configurations of space (8). None of the illustrated configurations of space (8) meet the requirements of amended claim 1.

Regarding claim 8, Nankai fails to disclose or suggest a generally linear capillary channel extending between individual members of the spacer substrate, the channel having opposing first and second ends and an inlet positioned between the ends and between the first and second electrode sets. The Examiner's attention is again directed to Figures 3, 4, 8, 10, 12, and 13, of Nankai, which illustrate various configurations of space (8). None of the illustrated configurations of space (8) meet the requirements of amended claim 8.

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Regarding claim 20, Nankai fails to disclose or suggest a spacer substrate having individual first, second, and third members. The Examiner's attention is directed to Figures 3, 4, 8, 10, 12, and 13, of Nankai, which illustrate various configurations of spacer (7). None of the illustrated configurations of spacer (7) meet the requirements of amended claim 20.

Further, Nankai fails to disclose or suggest a channel extending between the three individual members and including an inlet positioned between the second and third members adjacent to the first end of the support substrate and spaced-apart first and second opposite ends. Nankai further fails to disclose or suggest a channel having the first opposite end positioned between the first and second members and the second opposite end positioned between the first and third members, wherein each electrode array is positioned in the channel adjacent to one of the opposite ends. The Examiner's attention is again directed to Figures 3, 4, 8, 10, 12, and 13, of Nankai, which illustrate various configurations of space (8). None of the illustrated configurations of space (8) meet the requirements of amended claim 20.

Accordingly, there is no disclosure or suggestion in Nankai of a biosensor comprising "a support substrate having first and second ends, electrodes positioned on the support substrate, the electrodes cooperating with one another to define electrode arrays situated adjacent to the first end, a spacer substrate positioned on the support substrate, the spacer substrate having individual members, and a cover positioned on the spacer substrate, the cover cooperating with support substrate to define a generally T-shaped channel, the channel extending between the individual members of the spacer substrate and including an inlet adjacent to the first end of the support substrate, and opposite ends, each electrode array being positioned in the channel adjacent to one of the opposite ends", as recited by amended claim 1.

Further, there is no disclosure or suggestion in Nankai of a biosensor comprising "a support substrate, a first electrode set positioned on the support substrate, a second electrode set positioned on the support substrate, the first and second electrode sets being spaced-apart from one another, a spacer substrate positioned on the support substrate, the spacer substrate having individual members, and a cover extending across the first and second electrode sets, the cover cooperating with the support

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substrate to define a generally linear capillary channel extending between the individual members of the spacer substrate, the channel having opposing first and second ends and an inlet positioned between the ends and between the first and second electrode sets", as recited by amended claim 8.

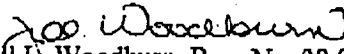
Finally, there is no disclosure or suggestion in Nankai of a biosensor comprising "a support substrate having first and second ends, electrodes positioned on the support substrate, the electrodes cooperating with one another to define electrode arrays situated adjacent to the first end, a spacer substrate positioned on the support substrate, the spacer substrate having individual first, second, and third members, and a cover positioned on the spacer substrate, the cover cooperating with support substrate to define a channel, the channel extending between the three members and including an inlet positioned between the second and third members adjacent to the first end of the support substrate and spaced-apart first and second opposite ends, the first opposite end being positioned between the first and second members and the second opposite end being positioned between the first and third members, each electrode array being positioned in the channel adjacent to one of the opposite ends" as recited by amended claim 20.

As such, claims 1, 8 and 20 as amended are not anticipated and are believed to be patentable over Nankai. Claims 2-7 depend from amended claim 1. Claims 10-15 depend from amended claim 8. Claims 21-23 depend from amended claim 20.

The claims as submitted herein are believed to be in condition for allowance, and allowance of the application is respectfully requested. In addition, it is requested that this paper be considered a request for extension of time sufficient to effect a timely response and that that all fees due be charged to Deposit Account Number 02-2958 with reference to (RDID 0090 US).

Respectfully submitted,

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